

## **APPENDIX B: PENDING CLAIMS**

1. (Three Times Amended) A confectionery product comprising:  
a mixture of at least 25% by weight of solid fat which consists essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof, and  
at least 15% by weight of non-cereal vegetable solids finely ground to a size of about 80 microns or less that are dispersed in a continuous fat phase of the solid fat which serves as a matrix for the vegetable solids to form a stable shape for the product and to impart a confectionery texture to the product.
2. (Twice Amended) The confectionery product according to claim 1, wherein the fat is present in an amount of at least about 30% by weight of the product.
3. The confectionery product according to claim 1, wherein the non-cereal vegetable solids comprise finely ground particles having a size of about 40 microns or less.
4. The confectionery product according to claim 1 wherein the non-cereal vegetable solids are present in an amount ranging from about 30 to about 60% by weight of the confectionery product.
5. The confectionery product according to claim 4, wherein the non-cereal vegetable solids comprises at least one type of vegetable preparation selected from the group consisting of dried vegetable pieces, dried vegetable powder, vegetable paste or vegetable distillate, vegetable concentrate and mixtures thereof.
6. The confectionery product according to claim 5, wherein the non-cereal vegetable solids comprises at least one type of vegetable selected from the group consisting of potatoes, beans, lentils, peas, asparagus, aubergine, basil, beetroot, broccoli, Brussel sprout, cabbage, carrots, cauliflower, celery, chicory, courgette, cucumber, curly kale, fennel, garlic, gherkins, gourd, leeks, lettuce, marrow, mushrooms, okra, onions, parsnip, peppers, plaintain, pumpkin, quorn, radish, spinach, spring greens, swede, sweetcorn, tomato, turnip, watercress, yam, zucchini, and mixtures thereof.

7. (Amended) The confectionery product according to claim 1, wherein the product is formed from a chocolate or equivalent thereof where the vegetable solids have replaced at least a portion of the cocoa solids, sugar solids, or milk solids, or a combination thereof in the chocolate.

8. The confectionery product according to claim 1 wherein the ratio of non-cereal vegetable solids to fat is between about 1:2 to about 3:1.

9. (Amended) The confectionery product according to claim 1, wherein the fat imparts a melt-in-the-mouth sensation upon being placed in the mouth.

10. (Twice Amended) The confectionery product according to claim 1, wherein the fat consists of cocoa butter, cocoa butter equivalent, cocoa butter replacer, crystallizable vegetable fat, and mixtures thereof.

11. The confectionery product according to claim 1, further comprising at least one cereal-based component in an amount of up to about 40% by weight of the confectionery product.

12. The confectionery product according to claim 11, wherein the cereal-based component is selected from the group consisting of corn, oats, wheat, barley, rye, rice, millet malt and mixtures thereof.

13. (Amended) The confectionery product according to claim 1, further comprising sugar in an amount of up to about 55% by weight of the product and wherein the vegetable solids comprise a combination of vegetables.

14. The confectionery product according to claim 13, wherein the sugar is selected from the group consisting of glucose, lactose, fructose, sucrose, maltose, dextrose, polydextrose, matodextrin, inverted sugar, a product of the enzymatic saccharification of starch and mixtures thereof.

29. The confectionery product according to claim 1, which is at least partly covered by a fat-based layer.

30. The confectionery product according to claim 1, wherein the product is present as a center filling of a fat-based chocolate shell.

31. The confectionery product according to claim 1, wherein the product comprises a center filling and a shell, each of which comprises non-cereal vegetable solids and fat.

32. The confectionery product according to claim 1, further comprising a first further shaped component of an aerated mixture of a non-cereal vegetable component, a milk-based component and an optional sugar component, wherein the further shaped component is positioned adjacent the shaped mixture in a first set configuration.

33. The confectionery product according to claim 32, wherein the first set configuration is at least partly covered by a chocolate layer.

34. (Amended) The confectionery product according to claim 32, further comprising a second further shaped component comprising a non-cereal vegetable paste, wherein the second further shaped component is positioned adjacent the shaped mixture in a second set configuration.

35. The confectionery product according to claim 34, wherein the second set configuration is at least partly covered by a chocolate layer.

36. The confectionery product according to claim 1, wherein the shape of the product is in the form of a bar, slab, rocher, cluster or crisp.

37. The confectionery product according to claim 1, wherein the stable shape is placed upon a wafer or biscuit.

38. The confectionery product according to claim 37, wherein wafer or biscuit has the shape of a tube, boat or plane.

39. (Twice Amended) A confectionery product comprising a mixture of solid fat in an amount of at least 25% by weight, which consists essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof, and about 30% to about 60% by weight of non-cereal vegetable solids comprising finely ground particles having a size of about 80 microns or less, wherein the vegetable solids are dispersed in a continuous fat phase of the solid fat which serves as a matrix, at least one cereal-based component in an amount of up to about 40% by weight, and sugar in an amount of up to about 55% by weight, wherein the product has a stable shape and a confectionery texture to the product, with fat imparting a melt-in-the-mouth sensation when the product is placed in the mouth.

40. (Amended) The confectionery product according to claim 39, wherein the non-cereal vegetable solids and fat are present in a ratio of between about 1:2 to about 3:1; the non-cereal vegetable solids comprises at least one type of vegetable preparation selected from the group consisting of dried vegetable pieces, dried vegetable powder, vegetable paste or vegetable distillate, vegetable concentrate and mixtures thereof; the fat comprises cocoa butter, cocoa butter equivalent, cocoa butter replacer, crystallizable vegetable fat, and mixtures thereof; the cereal-based component is selected from the group consisting of corn, oats, wheat, barley, rye, rice, millet malt and mixtures thereof; and the sugar is selected from the group consisting of glucose, lactose, fructose, sucrose, maltose, dextrose, polydextrose, maltodextrin, inverted sugar, a product of the enzymatic saccharification of starch and mixtures thereof.